

Research Protocol for State Radon Laws

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State Radon Laws

- I. **Date of Protocol:** January 13, 2017

- II. **Scope:** To compile state-based states, regulations, and standards governing Radon laws.

- III. **Primary Data Collection**
 - a. **Project Dates:** August 31, 2016 – December 1, 2016

 - b. **Dates Covered in the Dataset:** August 24, 2009 – December 1, 2016. This is a cross-sectional dataset, displaying the most recent versions of relevant laws in each state, up to December 1, 2016.

 - c. **Data Collection Methods:**
 - i. To determine which, if any, states possess laws, regulations, or standards for Radon. Coders conducted a preliminary investigation into existing state Radon standards for all 50 states and the District of Columbia using LexisNexis. Coders restricted the search to state statutes and regulations and restricted the search to include key search terms, such as Radon testing, Radon mitigation, and Radon certification. Collected laws suitable for coding were compiled and coders developed a set of questions that were suitable to the pre-identified coding scheme. After the collection of laws, coders entered the questions and laws into the Law Atlas Workbench and coded the questions. Coding was reviewed by a supervisor, verified by a naïve coder, and finished by the final coder.
 - ii. **Databases Used:** LexisNexis State Laws and Regulations; state legislature websites; LegiScan
 - iii. **Search Terms:** “Radon”, “property disclosure”, “certification”, “mitigation”, “testing”, “education programs”, “radon-resistant new construction”, “penalties”

- IV. **Coding**
 - a. **Development of Coding Scheme:** After conducting the preliminary investigation into state radon laws, coders developed a series of questions that were applicable to relevant Radon standards in all 50 states and D.C. The questions were based on commonality criteria with regards to the preliminary search about relevant information to Radon. The coders divided up the states amongst each other. The coders developed 9 primary questions, with some additional child questions, and entered them into Law Atlas Workbench, after a consensus was reached on word choice and order for the questions.

 - b. **Coding Methods:** Coding was based on 9 primary questions, with some questions, having additional child questions to clarify. The states were evenly divided up amongst the coders and each coder answered the following questions for their designated

grouping. The coders then switched states to check the previous coders work. Coders discussed any discrepancies and were agreed upon in the coding scheme. A final coder verified the coding.

The first three questions (1-3) dealt with Radon disclosure in regards to real estate transfer and seller or landlord requirement. The first question asked whether the state required the disclosure of radon in the sale of a home, which was answered yes or no. The second question asked how radon was disclosed to potential buyers, i.e. through state law or regulation, state form drawn up the Real estate commission/board, form drawn up by the Association of Realtors, and/or none. Question three asked whether landlords are required to disclose radon levels to tenants, which was answered yes, no, or unclear.

Question four asked whether the state has certification laws regarding radon mitigation, answered yes or no.

Question five asked whether the state required radon testing, answered yes or no. 3 additional child questions followed the primary question, asking whether the state required testing in high priority buildings, in schools, and/or in day care centers.

Question six asked whether the state had a mitigation law, answered yes or no.

Question seven asked whether the state has a law requiring the utilization of radon resistant new construction.

Question eight asked whether the state has any requirements regarding public education and/or awareness programs

Question nine asked whether the state has penalties associated with misrepresenting radon readings, answered yes or no. Two additional questions asked whether the states imposed penalties, civil, or criminal, on misrepresenting radon levels, also answered yes or no.

V. Quality Control

After coding was completed, a naïve coder reviewed the coding records and verified coding. To ensure consistency, all coders discussed any discrepancies and came to agreement. Additionally, a final coder was brought on to the assignment after some changes were made by the naïve coder, to ensure accuracy in the coding. Coding was verified by a supervisor to further ensure accuracy and to verify the coding. The dataset was not redundantly coded.